

**MINUTES OF THE 7th MEETING OF THE MONITORING COMMITTEE
HELD ON 07/03/07 @ 3.00 P.M. IN THE CONFERENCE HALL OF CMDA**

MEMBERS PRESENT:

1. Thiru R. Santhanam, I.A.S.,
Vice-Chairman, CMDA.
- 2.. Thiru Rajesh Lakhoni, I.A.S.,
Commissioner, Chennai Corporation.
3. Thiru Shiv Das Meena, I.A.S.,
Managing Director, CMWSSB.
4. Thiru Hansraj Verma, I.A.S.,
Chairman, TNEB
5. Tmt. R. Jaya, I.A.S.,
District Collector, Chennai.
6. Thiru Bholanath, I.P.S.,
Director of Fire and Rescue Services.
7. Thiru Louis Menezes, I.A.S., (Retd.)
8. Thiru M.G. Devasahayam, I.A.S., (Retd.)
9. Prof. Suresh Kuppaswamy,
School of Architecture and Planning, Anna University.
10. Dr. A. Srivatsan,
Architect and Urban Planner
11. Thiru Durganand Balsaver,
Architect and Urban Planner

Leave of absence:

12. Thiru P.T. Krishnan,
(Architect)

Special Invitee:

13. Thiru. Sunil kumar, I.P.S.
Joint Commissioner of Police (Traffic), Greater Chennai.

AGENDA ITEM NO.7 .1 Confirmation of the minutes of the 6th monitoring committee meeting held on 23.02.2007.

Minutes: Confirmed except the following paras which will be replacing the earlier paras:

Para 2 of Minutes under Item No.6.1:

2. The MC wanted to see speedy follow up action on all the cases in which notices have been issued either for demolition or restoration to the originally approved plan. The Member-Secretary, CMDA informed that a team of Officers from CMDA has already planned to visit Bengaluru and Mumbai to study the system of demolition and the technical know how, man power required, etc. to get a first hand information. MC was further informed that the tender for empanelment of contractors to take up demolition would be shortly finalized; as it is a contract of an entirely different nature, it is being taken to the Authority for approval. The MC directed that all these formalities should be completed quickly since the 45 days time given to the offending parties begins to expire in the last week of March 2007 and the demolition/rectification measures are due by then. The MC would like to see concrete action on the ground by 31st March 2007.

Para (a) of Minutes under Item No.6.5:

(a) The Monitoring Committee had received a representation from M/s FAIRPRO with reference to recently completed Multi Storeyed Buildings, which have not been given electricity or water supply and sewerage connection due to the new procedures introduced by the MC. They wanted a hearing. The MC agreed to hear them. The Secretary of the organization, Mr. Prakash Chella explained to the Monitoring Committee the difficulties being faced in getting compliance/completion certificate as now stipulated by the High Court in pursuance of the Judgement for obtaining electricity connection and water and sewerage connection for the new buildings. They requested not to consider minor alterations/deviations made during construction i.e. architectural design, minor changes of column position, some shortage in set back, minor increase in FSI etc., as violation and requested to issue completion certificate. They also represented that because of their not

getting the Completion Certificate a large number of people who have booked residential flats are getting affected. Similarly it is adversely affecting the I.T. industry. The Monitoring Committee assured to keep the above in mind while considering the process of simplifying the procedure setting parameters for issuance of compliance/completion certificate.

Para (c) of Minutes under Item No.6.5:

(c) MC felt that in the light of certain problems faced at the field level with regard to the issue of Completion Certificate, there is a need to distinguish between minor deviations and wilful violations. MC was of the opinion that wilful violations cannot be condoned under any circumstances; CMDA may consider condoning the minor deviations provided the planning parameters on which the planning permission granted originally are adhered to and the safety aspects of the building and public interests are safeguarded.

Para (d) of Minutes under Item No.6.5:

(d) MC was informed by CMDA of the 21 items, which are being verified at present for a limited purpose of release of security deposit. MC suggested that the list may be reviewed and if necessary new items may be incorporated for condoning the deviations in order to issue Completion Certificate. MC also suggested that while preparing a new list CMDA should not ignore the major parameters such as land use, number of floors, parking requirement, FSI, setback spaces and Fire safety aspects.

MC directed CMDA to submit a report in the next meeting after a detailed discussion within CMDA and other concerned agencies.

AGENDA ITEM NO. 7.2 Action taken on the minutes of 5th and 6th meetings.

Minutes: Recorded.

The Vice-Chairman, CMDA informed the MC that as on 6.3.2007, refusal letters for 2432 Regularisation applications has been sent under the Regularisation 2002 Scheme and for 4092 Regularisation applications, the Refusal/Rejection letters are yet to be sent. The Vice-Chairman also informed that tenders have already been called for, for identification of Contractors for

demolition of the buildings and the subject is being placed before the Authority for approval. The Vice-Chairman also informed that recently CMDA Officers visited Bengaluru and Mumbai to have first hand information on the procedures adopted for demolition of buildings by the Corporation and Development Authorities. Development Authorities of Mumbai and Bengaluru do not carryout demolition of buildings in private ownership lands, but the Corporation of Greater Mumbai and Bengaluru are carrying out demolition of buildings in private ownership lands; however, there is no controlled demolition of columns and beam portions through tender process in Corporation of Greater Mumbai and Bengaluru. In Bengaluru, the Commissioner is empowered to consider the deviations/violations of the sanctioned plan being regularised if the violations/deviations are within 5% of the (1) setback to be provided around the building, (2) plot coverage, (3) floor area ratio and (4) height of the building since the demolition is not feasible without affecting structural stability.

For obtaining electricity, water and drainage connections, issue of occupancy certificate is mandatory in Municipal Corporation of Greater Mumbai and due to this, violation is reportedly under control in high rise buildings in Mumbai. Further in respect of the buildings in Mumbai which have not been issued with occupancy certificate, there is provision for sealing the building and levying property tax twofold. The Municipal Corporation of Greater Mumbai has an elaborate building approval system from the receipt of application till the building completion, being dealt in a single file, involving the following procedures – Intimation of Disapproval (IOD), Issue of Commencement Certificates at various stages of construction on complying with prescribed conditions, insistence of as built drawings in case of deviation, issue of Occupancy Certificate for obtaining Service connections, Issue of Final Plan approval, Completion Certificate and refund of Security Deposit.

The MC noted the elaborate system of building approval given by Corporation of Greater Mumbai and 5% relaxation in respect of set back, plot coverage, FSI and height of building given by Corporation of Bengaluru.

AGENDA ITEM NO. 7.3 MSB – Commercial building at Door No.42 & 43, Kutchery Road, Mylapore, Chennai – 4 of Tmt. Kaneez Fathima, Joint Inspection on 20.02.2007 Report – Reg.

Minutes: *Deferred.*

AGENDA ITEM NO. 7.4 MSB & SB – Commercial buildings individual files for decision

Minutes: *Data sheet for 20 MSB and 18 Special Buildings of Commercial individual buildings were placed before the MC. The MC discussed 14 individual cases of MSB. The minutes of the MC of the Reg. MSB applications is annexed.*

Besides MC suggested furnishing all Govt. appeal cases separately from the next MC meeting.

AGENDA ITEM NO. 7.5 E.C. – Completion Certificate – Norms for discussion.

Minutes: *Based on the M/s. FAIRPRO representation regarding the difficulties in getting the Completion Certificate, the MC had directed to categories various issues and place before the MC Meeting to be held on 07.3.2007.*

Accordingly, MC was briefly explained that a meeting was convened internally and the norms for issuance of Completion Certificate were discussed. A meeting was also convened by VC, CMDA with Commissioner, Corporation of Chennai and DF&RS and Commissioner of Police on 02.03.07 to discuss about the proposed norms for issue of Compliance Certificate by their Departments under their respective Acts / Rules.

It was also informed that this is the first time that CMDA will be issuing C.C. as envisaged by the High Court in its orders dated 23.08.2006. So far CMDA has only been issuing a limited purpose CC (i.e. only for release of Security Deposit) and has been following certain norms for the same. These

norms include certain condonations as well. A table containing a gist of existing (for limited purpose CC) and proposed norms for issuance of Completion Certificate now was placed before the MC.

The Compliance Certificate Norms proposed by DF & RS, Traffic Police and Corporation of Chennai were also discussed in detail. MC decided that in respect of parking requirement for Planning Permissions issued before 23.08.2006, 5% relaxation may be given for residential buildings only.

MC also agreed to the proposal of Commissioner Corporation of Chennai to get the structural stability certificate from qualified engineers and to follow the broad guidelines prescribed by the National Building Code (NBC). D.F.R.S. informed that they broadly follow the NBC. guidelines for issuing fire license, which was agreed to by MC for issue of Compliance Certificate. However, MC also wanted him to examine whether the set back requirements presently being insisted upon for fire safety measures could be reduced as land has become very costly. Besides modern fire fighting equipments do not need so much space. Norms suggested by various departments for issuing Compliance Certificate were discussed in detail and MC approved the same with certain modifications as given in Annexure for Item no.7.5. MC also clarified that the norms being finalised now for issuing CC is only for P.Ps issued before 23.08.2006.

AGENDA ITEM NO. 7.6 Discussion on base paper on Enforcement.
(already circulated in 4th meeting).

Minutes: Deferred.

AGENDA ITEM NO.7.7 CMDA Regularisation Scheme - Applications with
Local Bodies – Disposal of applications – Reg.
(will be circulated on Table).

Minutes: Deferred.

AGENDA ITEM NO.7.8 MSB Reg. Dn. – Regularisation of unauthorised/deviated construction of BF+GF+MF+8 Floors Hotel building at Door No.2 & 3, Coovum river side road, Egmore, Chennai-8 in R.S. No.50/10, Block No.8 of Vepery village – Subject placed before Monitoring Committee – Reg.

Minutes: *Deferred.*

AGENDA ITEM NO.7.9 REG. MSB Dvn. – Regularisation of unauthorised/deviated construction of Basement + Ground + 4 Floors Commercial Building at Door No.9, Pycrofts Garden Road, Nungambakkam, Chennai-34 in R.S.No.87/26, Block No.15 of Nungambakkam Village – Verification of original records of earlier approval – Subject placed before the Monitoring Committee – Reg.

Minutes: *Deferred .*

AGENDA ITEM NO.7.10 MSB Reg. Dvn. – Regularisation of unauthorised/deviated construction of Commercial Building of GF + 4 Floors at Door No.102, Lattice Bridge Road, Adyar in T.S.No.25 and S.No.15/8, Block No.16 of Pallipattu village, Chennai – Agenda item 6.3.42 to 48 of 6th meeting – Inspection Report – Submitted – Reg.

Minutes: *Deferred.*

AGENDA ITEM NO.7.11 MSB Reg. Dvn. -Regularisation of unauthorised/deviated construction of Commercial Building of GF+4 Floors at Door No.46 & 47, Prince Plaza, Pantheon Road, Egmore in T.S.No.1615/2, Block No.50 of Egmore village – Agenda item 6.3.41 of 6th meeting – Inspection Report – Submitted – Reg.

Minutes: *Deferred.*

General:

The next Monitoring Committee meeting will be held on 23.03.07 at 3.00 P.M. in the Conference Hall of CMDA.